

## **STAFF REPORT**

To: Members of Shelburne Municipal Council

From: Darrell Locke, Administrator Dangerous or Unsightly Premises

Approved By: Marcia d'Eon, Director of Operations & Protective Services

Date: January 8, 2025

Subject: Property located at 13 Hemeon Lane, Lower Sandy Point

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### **ORIGIN:**

This is a Dangerous or Unsightly Premise file that was opened on March 6, 2024. The property is registered to Ernest and Bernice Goodick who are both deceased. The Municipal lawyer was consulted, and his advice was to include locally known adult children when or where possible to ensure they are aware of the process even though they are not registered as the property owners. Documents have been posted on the property and personally served on locally known adult children of Ernest and Bernice Goodick.

### **RECOMMENDED MOTION:**

Be it resolved that the Council of the Municipality of the District of Shelburne hereby issues an order as per Section 507 of the Municipal Government Act; and authorizes the Warden to sign off on this demolition and clean up order for the property located at 13 Hemeon Lane, Lower Sandy Point.

### **DISCUSSION:**

That the Municipality of the District of Shelburne holds that the condition of the property located at 13 Hemeon Lane, Lower Sandy Point justifies that the property is in violation of the provisions of the Municipal Government Act, S.N.S. 1998, c.18 because the property is Dangerous or Unsightly because but not limited to: The property or building is in such a condition that seriously depreciates the value of land or buildings in the vicinity. The property or buildings are in a ruinous or dilapidated condition. The property or building is in such a state of non-repair that they are not suitable for human habitation or business. The property or building is an allurements to children who may play there to their danger. The property or building constitutes a hazard to the health or safety of the public. The property or building is unsightly in relation to the neighbouring properties because the exterior finish of the building or the landscaping is not maintained. The property or building is a fire hazard to itself or to surrounding lands or buildings

**ATTACHMENTS:**

Photographs of the property

Copies of documents posted and/or served

AFFIDAVIT OF SERVICE

I **Darrell Locke**, By-Law Enforcement Officer for the Municipality of Shelburne make oath and say that on **March 26, 2024 at 11:55 am** I did personally deliver a true copy of the attached document to **JOHN GOODICK** at **1485 Sandy Point Road**, Shelburne County, Nova Scotia.

Sworn to this 26<sup>th</sup>  
of March ,2024 at  
Shelburne, Nova Scotia.



A Commissioner of the Supreme  
Court of Nova Scotia

Anita A. DeMings  
A Commissioner of the  
Supreme Court  
of Nova Scotia

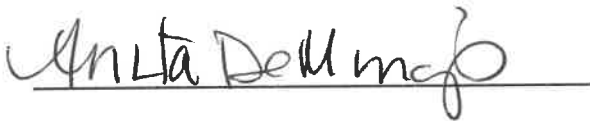


Darrell Locke

AFFIDAVIT OF SERVICE

I **Darrell Locke**, By-Law Enforcement Officer for the Municipality of Shelburne make oath and say that on **March 26, 2024 at 12:25 pm** I did personally deliver a true copy of the attached document to **APRIL GOODICK** at **234 Water Street, Shelburne**, Shelburne County, Nova Scotia.

Sworn to this 26<sup>th</sup>  
of March, 2024 at  
Shelburne, Nova Scotia.



A Commissioner of the Supreme  
Court of Nova Scotia

Anita A. DeMings  
A Commissioner of the  
Supreme Court  
of Nova Scotia



Darrell Locke



**THE MUNICIPALITY OF THE DISTRICT OF SHELBURNE  
BY-LAW ENFORCEMENT**

414 Woodlawn Drive, PO Box 280 Shelburne, NS BOT 1W0

Phone: (902) 875-6773 – Fax: (902) 875-1278

[www.municipalityofshelburne.ca](http://www.municipalityofshelburne.ca)

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# **DANGEROUS AND/OR UNSIGHTLY PREMISE**

**“DANGEROUS OR UNSIGHTLY”** means partly demolished, decayed, deteriorated or in state of disrepair so as to be dangerous, unsightly, or unhealthy and includes property containing:

- (a) Ashes, junk, cleanings of yards or other rubbish or refuse or a derelict vehicle, vessel, item of equipment or machinery, or bodies of these or parts thereof,
- (b) An accumulation of wood shavings, paper, sawdust dry and inflammable grass or weeds or other combustible material,
- (c) An accumulation or collection of materials or refuse that is stockpiled, hidden or stored away and is dangerous, unsightly, unhealthy, or offensive to a person or,
- (d) Any other thing that is dangerous, unsightly, unhealthy or offensive to a person, and includes property or a building or structure with or without structural deficiencies,
- (e) That is in a ruinous or dilapidated condition,
- (f) The condition of which seriously depreciates the value of land or buildings in the vicinity,
- (g) That is in such a state of non-repair as to be no longer suitable for human habitation or business purposes,
- (h) That is an allurements to children who may paly there to their danger,
- (i) Constituting a hazard to the health or safety of the public,
- (j) That is unsightly in relation to neighboring properties because either the exterior finish of the building or structure or the landscaping is not maintained,
- (k) That is a fire hazard to itself or to surrounding buildings,
- (l) That has been excavated or had fill placed on it in a manner that results in a hazard or,
- (m) That is in a poor state of hygiene or cleanliness.

**FROM NOVA SCOTIA MUNICIPAL ACT 1998, c.18, PART XV**

Form 1

Municipality of the District of Shelburne

**DANGEROUS OR UNSIGHTLY PROPERTY COMPLAINT FORM**

1. Date of complaint: March 6, 2024

2. Address of dangerous or unsightly property and name of owner:

13 Hemeon Lane, Lower Sandy Point

Registered property owner(s): Ernest and Bernice Goodick

3. What are your concerns regarding this property?

The structure on the property is in very poor condition, there is no door on the rear entrance to the structure leaving the structure unsecure.

4. How long has the property been in this condition?

Several years, progressively getting worse.

5. Do you have any other information about this property?

This property has been on tax sale since 2017.

6. Your name and address (optional, but required if you would like to be informed of the action the Administrator takes):

Form 2

Municipality of the District of Shelburne

**DANGEROUS OR UNSIGHTLY PROPERTY**

**INITIAL SITE INSPECTION REPORT**

1. Name of Inspector(s): Darrell Locke
  
2. Date and time of inspection: March 6, 2024, 15:00hrs
  
3. Weather conditions at time of inspection: Sun/cloud
  
4. Address of dangerous or unsightly property and name of owner(s):  
13 Hemeon Lane, Lower Sandy Point  
Registered owner(s): Ernest and Bernice Goodick
  
5. Steps taken to investigate:  
Attended on site, 15 photographs taken, confirmed registered property ownership.
  
6. Buildings entered:  
Yes. There is no door on the rear entrance.
  
7. Concerns noted:  
The property is unsecure, the rear entrance area is in very poor condition. The basement is almost totally full of water. The ceiling is falling in the kitchen area. Generally, the structure is in very poor condition with floors sagging in most areas. There is a well in the back yard covered by a pallet.

8. Recommended actions:

Carry out repairs to correct the existing dangerous or unsightly conditions of the structure to the satisfaction of the Administrator or obtain a demolition permit, demolish the structure, remove and dispose of the demolition material, in accordance with all current Municipal By Laws. (NO DISPOSAL OF MATERIAL BY BURNING OR BURYING IS PERMITTED), fill in any excavations, level the ground to the surrounding property level.

IF DEMOLITION IS THE CHOICE MADE, WEIGH SLIPS FROM THE APPROVED WASTE FACILITY OF YOUR CHOICE MUST BE PROVIDED TO INDICATE WHERE THE MATERIAL HAS BEEN DISPOSED OF.

9. Other observations:

March 7, 2024

\_\_\_\_\_  
Date

Darrell Locke

\_\_\_\_\_  
Inspector

Form 3

NOTICE

MUNICIPALITY OF THE DISTRICT OF SHELBURNE  
DANGEROUS OR UNSIGHTLY PROPERTY VIOLATION

TO: ERNEST AND BERNICE GOODICK  
AND  
ADULT CHILDREN OF ERNEST AND BERNICE GOODICK

Re: PROPERTY LOCATED AT 13 HEMEON LANE, LOWER SANDY POINT

“DANGEROUS OR UNSIGHTLY” means partly demolished, decayed, deteriorated or in a state of disrepair so as to be dangerous, unsightly or unhealthy. You are receiving this notice as a result of a breach of the Dangerous or Unsightly Property provisions of the *Municipal Government Act*, S.N.S. 1998, c. 18. Your property is in breach based on the following issues:

- The property or building is in such a condition that seriously depreciates the value of land or buildings in the vicinity.
- The property or building is in a ruinous or dilapidated condition.
- The property or building is in such a state of non-repair that they are not suitable for human habitation or business.
- The property or building is an allurements to children who may play there to their danger.
- The property or building constitutes a hazard to the health or safety of the public.
- The property or building is unsightly in relation to the neighbouring properties because the exterior finish of the building or the landscaping is not maintained.
- The property or building is a fire hazard to itself or to surrounding lands or buildings.

To ensure that your property is kept in compliance with the *Municipal Government Act*, you must take the following steps:

Carry out repairs to correct the existing dangerous or unsightly conditions of the structure to the satisfaction of the Administrator or obtain a demolition permit, demolish the structure, remove and dispose of the demolition material. Dispose of all waste material in accordance with all current Municipal By-Laws, (NO DISPOSAL OF MATERIAL BY BURNING OR BURYING IS PERMITTED), fill in any excavations, level the ground to the surrounding property level.

IF DEMOLITION IS THE CHOICE MADE, WEIGH SLIPS FROM THE APPROVED WASTE FACILITY OF YOUR CHOICE MUST BE PROVIDED TO INDICATE WHERE THE MATERIAL HAS BEEN DISPOSED OF.

If these steps are not taken within thirty (30) days, the Administrator will issue an Order requiring you to remedy the conditions noted above. If you fail to comply with the Order, the Administrator may enter onto your property pursuant to Section 348(3) of the *Municipal Government Act* and effect repairs. Any costs incurred by the Administrator will constitute a lien on your property and be collected as taxes, pursuant to Section 507 of the *Municipal Government Act*.

Any questions or concerns should be directed to the Administrator at 414 Woodlawn Drive, Shelburne or by phone at (902) 875-6773.

March 26, 2024

Date

Darrell Locke

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Administrator

PHOTOGRAPH LOG  
13 HEMEON LANE, LOWER SANDY POINT  
MARCH 6, 2024  
PHOTOGRAPHS TAKEN BY DARRELL LOCKE

1. FRONT VIEW OF STRUCTURE, WEST SIDE
2. SIDE VIEW OF STRUCTURE, NORTH SIDE
3. SIDE VIEW OF STRUCTURE, EAST SIDE
4. SIDE VIEW OF STRUCTURE, SOUTH SIDE
5. CLOSE UP VIEW FROM PHOTO 4, REAR ENTRANCE/EXIT FOR STRUCTURE
6. BASEMENT ENTRANCE FROM PHOTO 4, VERY HIGH-WATER LEVEL IN THE BASMENT
7. INTERIOR, KITCHEN
8. INTERIOR, KITCHEN (PAN RIGHT)
9. INTERIOR, LIVING ROOM
10. INTERIOR, UPSTAIRS, BATHROOM, BEDROOM
11. INTERIOR, UPSTAIRS, BATHROOM
12. INTERIOR, REAR ENTRANCE/EXIT
13. INTERIOR, REAR ENTRANCE/EXIT
14. INTERIOR, REAR ENTRANCE/EXIT
15. WELL IN THE BACKYARD COVERED BY PALLET



# 1,



#2



#3.



# 4,



#5



#6,



#7



# 8.



#9.



#10,



# 11



#12.



#13.



14



#15,

01736078 GOODICK ERNEST J BERNICE

Information Receivables Tax Information Notes History Change Owner Other Information Reminders Addresses Attribute

CustCode: GOODE001 Active Interest

Roll/Location: 01736078 ParcelID: 80096910 As of Date: 09-01-2015

Civic: 13 HEMEON LANE LOWER SANDY POINT

Address: \_\_\_\_\_

LAND DWELLING

Ward: 030 LR SANDY PT., TO JORDAN FERRY

Structure

Tenant Type:

Employer

Mortgagor 1 Mort ID 1

Mortgagor 2 Mort ID 2

Dwelling List:  Map Code Balance 7,368.73

[Change Roll/Location](#) [Assessments](#) [Track](#) [Print](#) [Asset](#) [Certificate](#)

GOODE001 ERNEST J BERNICE GOODICK

Information Receivables Property/Meter Info Notes Tax Info EFT Other Information Reminders Attribute

Code: GOODE001

Last Name: GOODICK

First Name: ERNEST J & BERNICE

Middle Name: \_\_\_\_\_

Second Owner: \_\_\_\_\_

Address: 13 HEMEON LANE  
SHELBURNE

Attention: \_\_\_\_\_

Prov.: NS

Employer: \_\_\_\_\_

Contact: \_\_\_\_\_

Telephone 1: 902-875-2919  \_\_\_\_\_

Fax: \_\_\_\_\_

e-mail: \_\_\_\_\_

Holder Type: \_\_\_\_\_

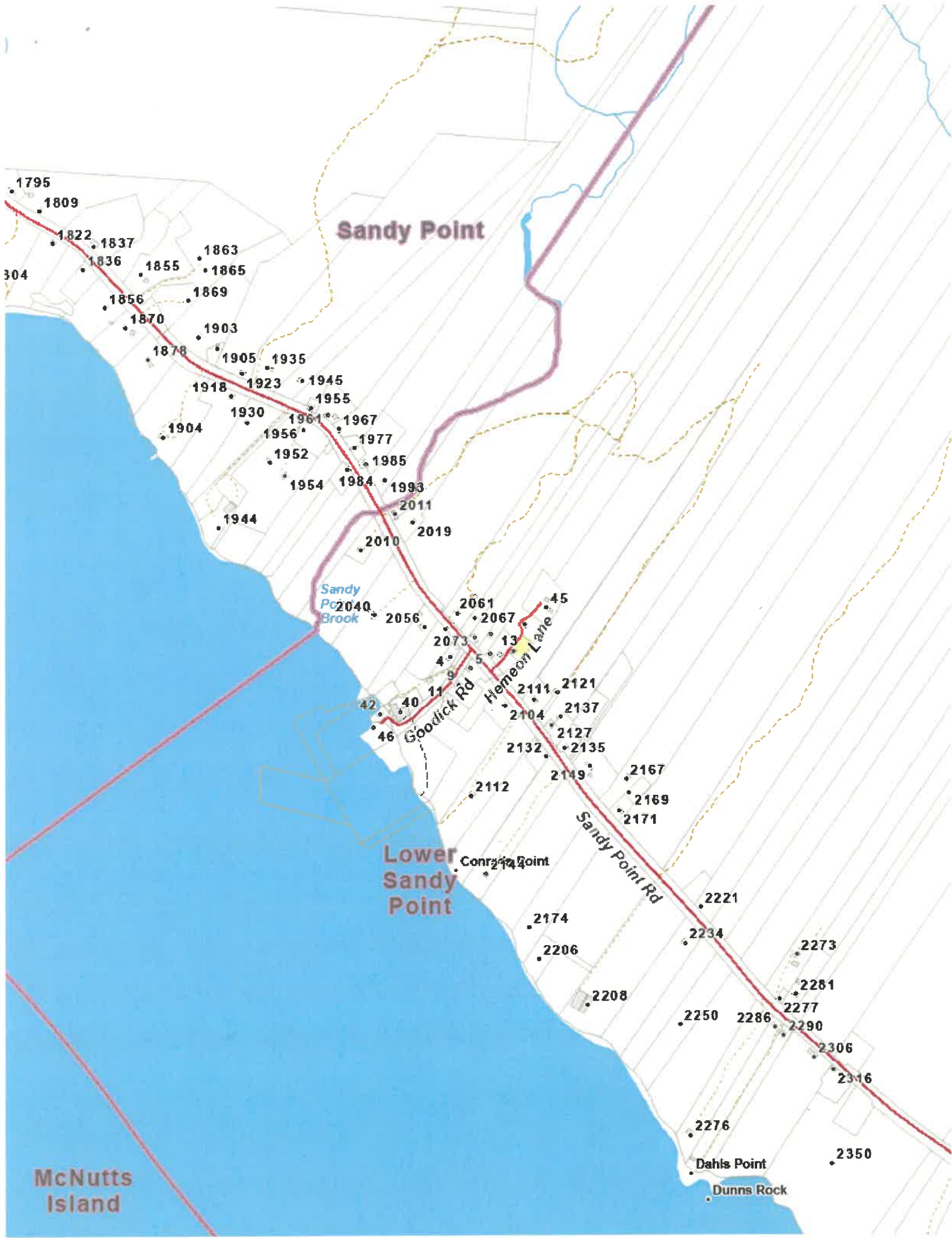
Region: \_\_\_\_\_

Community: \_\_\_\_\_

- Adjust To Minimum Tax
- Send Statements
- Charge Interest
- Active
- Miscellaneous Account

Balance:

Save Setting [Address](#) [Print](#) [Track](#) [Change Type](#)



**Sandy Point**

**Lower Sandy Point**

**McNutts Island**

Dahis Point

Dunns Rock

Sandy Brook

Sandy Point Rd

Goodnick Rd

Hemeon Lane

- 1795, 1809, 1822, 1837, 1836, 1855, 1863, 1865, 1869, 1870, 1878, 1903, 1904, 1905, 1918, 1930, 1935, 1944, 1945, 1952, 1954, 1955, 1956, 1961, 1967, 1977, 1985, 1984, 1993, 2010, 2011, 2019, 2040, 2056, 2061, 2067, 2073, 2111, 2112, 2121, 2137, 2149, 2167, 2171, 2174, 2199, 2206, 2208, 2221, 2234, 2250, 2273, 2277, 2281, 2286, 2290, 2306, 2316, 2350

PHOTOGRAPH LOG  
13 HEMEON LANE, LOWER SANDY POINT  
MARCH 26, 2024  
PHOTOGRAPHS TAKEN BY DARRELL LOCKE

1. DOCUMENTS POSTED ON WINDOWS, NORTH SIDE.
2. CLOSE UP OF DOCUMENTS FROM PHOTO # 1.
3. DOCUMENTS POSTED ON THE FRONT PATIO DOOR, WEST SIDE.
4. CLOSE UP OF DOCUMENTS FROM PHOTO # 3.



# 1.





#3



4.

Form 4

**ORDER MADE UNDER THE**  
**NOVA SCOTIA MUNICIPAL GOVERNMENT ACT**  
**MUNICIPALITY OF THE DISTRICT OF SHELBURNE**

To: Ernest and Bernice Goodick

RE: PROPERTY LOCATED AT 13 HEMEON LANE, LOWER SANDY POINT

The property located at 13 Hemeon Lane, Lower Sandy Point is in breach of the Dangerous or Unightly Property provisions of the *Municipal Government Act* due to the following conditions:

- The property or buildings are in such a condition that it seriously depreciates the value of land or buildings in the vicinity.
- The property or building is in a ruinous or dilapidated condition.
- The property or buildings are in such a state of non-repair that they are not suitable for human habitation or business.
- The property or buildings are an allurements to children who may play there to their danger.
- The property or buildings constitute a hazard to the health or safety of the public.
- The property or buildings are unsightly in relation to the neighbouring properties because the exterior finish of the building or the landscaping is not maintained.
- The property or building is a fire hazard to itself or to surrounding lands or buildings.

You were given notice of this breach and directed to remedy the violation by Notice that was posted and delivered to John Goodick and April Goodick on March 26, 2024 a true copy of which is attached.

You are hereby ordered to remedy this breach within fifteen (15) days of receipt of this Order by taking the following actions: Carry out repairs and cleanup to correct the existing dangerous or unsightly conditions to the satisfaction of the Administrator or obtain a demolition permit, demolish the structure, remove and dispose of the demolition and all waste material in accordance with all current Municipal By Laws (NO DISPOSAL OF MATERIAL BY BURNING OR BURYING IS PERMITTED), fill in any excavations, level the ground to the surrounding property level.

IF DEMOLITION IS THE CHOICE MADE, WEIGH SLIPS FROM THE APPROVED WASTE FACILITY OF YOUR CHOICE MUST BE PROVIDED TO INDICATE WHERE THE MATERIAL HAS BEEN DISPOSED OF.

If you fail to comply with the terms of this Order within fifteen (15) days of receipt of this Order, the Administrator or his delegate may enter onto the property to carry out the work specified in this Order. Any costs incurred by the Administrator or his delegates in this action will constitute a first lien upon your property pursuant to Section 507 of the *Municipal Government Act* and are enforceable as a tax on your property.

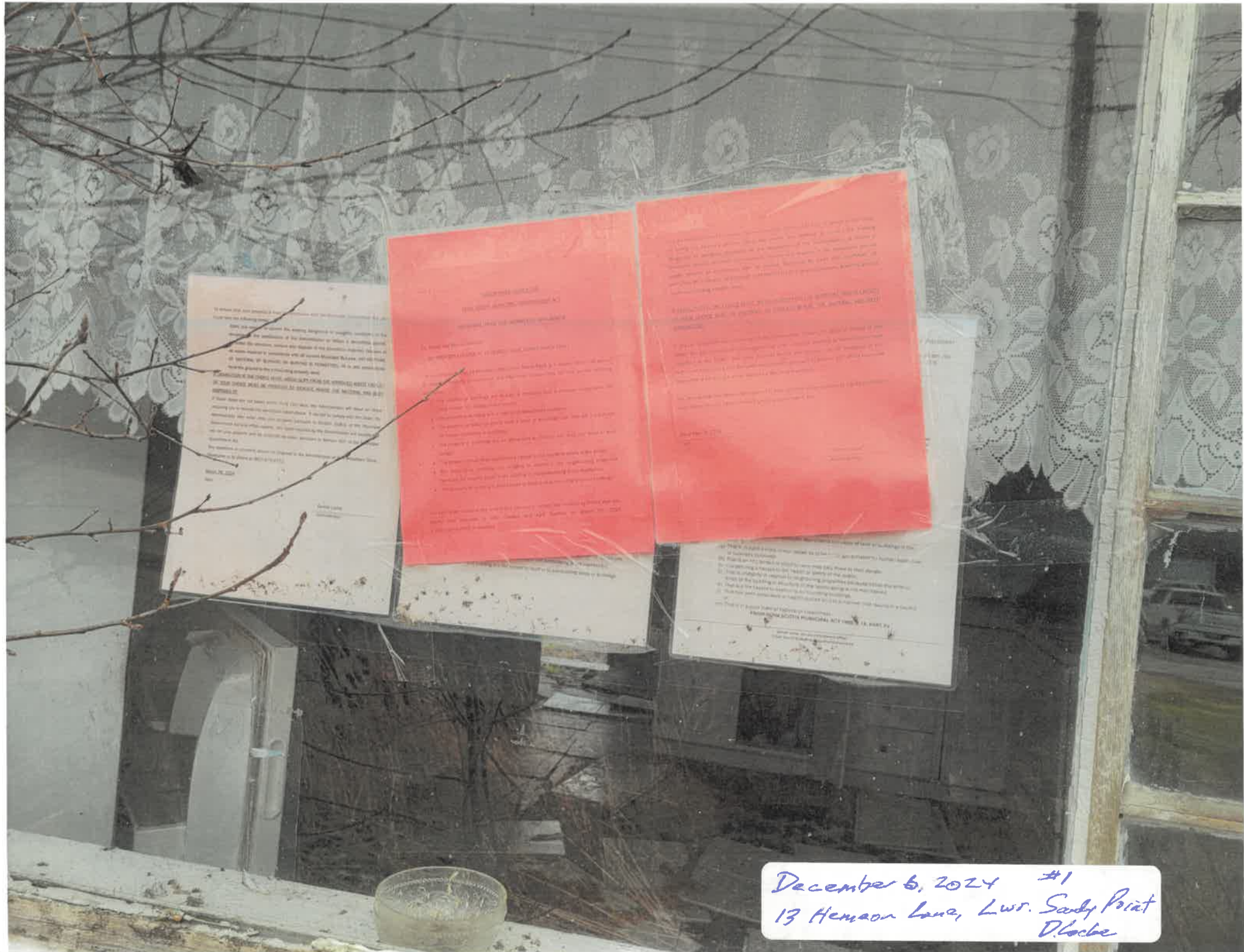
You may appeal this Order within seven (7) days after the Order is made to the Administrator pursuant to Section 346(2) of the *Municipal Government Act*.

December 5, 2024

\_\_\_\_\_  
Date

Darrell Locke

\_\_\_\_\_  
Administrator



December 6, 2024 #1  
13 Hemaon Lane, Lwr. Sandy Point  
D. Locke

Form 4

ORDER MADE UNDER THE  
NOVA SCOTIA MUNICIPAL GOVERNMENT ACT  
MUNICIPALITY OF THE DISTRICT OF SHELBURNE

To: Ernest and Bernice Goodick

RE: PROPERTY LOCATED AT 13 HEMEON LANE, LOWER SANDY POINT

The property located at 13 Hemeon Lane, Lower Sandy Point is in breach of the Dangerous or Unhealthy Property provisions of the *Municipal Government Act* due to the following conditions:

- The property or buildings are in such a condition that it seriously depreciates the value of land or buildings in the vicinity.
- The property or building is in a ruinous or dilapidated condition.
- The property or buildings are in such a state of non-repair that they are not suitable for human habitation or business.
- The property or buildings are an allurements to children who may play there to their danger.
- The property or buildings constitute a hazard to the health or safety of the public.
- The property or buildings are unsightly in relation to the neighbouring properties because the exterior finish of the building or the landscaping is not maintained.
- The property or building is a fire hazard to itself or to surrounding lands or buildings.

You were given notice of this breach and directed to remedy the violation by Notice that was posted and delivered to John Goodick and April Goodick on March 26, 2024 a true copy of which is attached.

You are hereby ordered to remedy this breach within fifteen (15) days of receipt of this Order by taking the following actions: Carry out repairs and cleanup to correct the existing dangerous or unsightly conditions to the satisfaction of the Administrator or obtain a demolition permit, demolish the structure, remove and dispose of the demolition and all waste material in accordance with all current Municipal By Laws (NO DISPOSAL OF MATERIAL BY BURNING OR BURYING IS PERMITTED), fill in any excavations, level the ground to the surrounding property level.

IF DEMOLITION IS THE CHOICE MADE, WEIGH SLIPS FROM THE APPROVED WASTE FACILITY OF YOUR CHOICE MUST BE PROVIDED TO INDICATE WHERE THE MATERIAL HAS BEEN DISPOSED OF.

If you fail to comply with the terms of this Order within fifteen (15) days of receipt of this Order, the Administrator or his delegate may enter onto the property to carry out the work specified in this Order. Any costs incurred by the Administrator or his delegates in this action will constitute a first lien upon your property pursuant to Section 507 of the *Municipal Government Act* and are enforceable as a tax on your property.

You may appeal this Order within seven (7) days after the Order is made to the Administrator pursuant to Section 346(2) of the *Municipal Government Act*.

December 5, 2024

Date

Darrell Locke

Administrator

(g) That is in such a state of non-repair as to be no longer suitable for human habitation or business purposes.  
(h) That is an allurements to children who may play there to their danger.  
(i) Constituting a hazard to the health or safety of the public.  
(j) That is in a poor state of repair in a manner that results in a fire hazard to itself or to surrounding lands or buildings.

December 6, 2024 #2  
13 Hemeon Lane, Lower Sandy Point.  
D. Locke

AFFIDAVIT OF SERVICE

I **Darrell Locke**, By-Law Enforcement Officer for the Municipality of Shelburne make oath and say that on **December 20, 2024, at 10:45 am** I did personally deliver a true copy of the attached document to **APRIL GOODICK** at **234 Water Street, Shelburne**, Shelburne County, Nova Scotia.

Sworn to this 20<sup>th</sup> day  
of December, 2024 at  
Shelburne, Nova Scotia.



A Commissioner of the Supreme  
Court of Nova Scotia

Anita A. DeMings  
A Commissioner of the  
Supreme Court  
of Nova Scotia

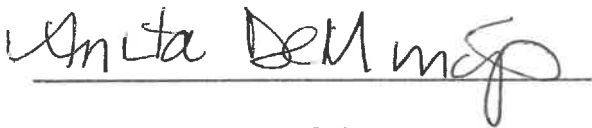


Darrell Locke

AFFIDAVIT OF SERVICE

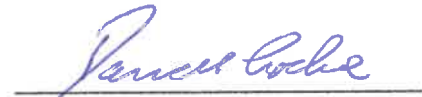
I **Darrell Locke**, By-Law Enforcement Officer for the Municipality of Shelburne make oath and say that on **December 20, 2024, at 4:15 pm** I did personally deliver a true copy of the attached document to **JOHN GOODICK** at **1485 Sandy Point Road**, Shelburne County, Nova Scotia.

Sworn to this 2<sup>nd</sup> day  
of January 2025 at  
Shelburne, Nova Scotia.



A Commissioner of the Supreme  
Court of Nova Scotia

Anita A. DeMings  
A Commissioner of the  
Supreme Court  
of Nova Scotia



Darrell Locke

Form 5

NOTICE OF MEETING

MUNICIPALITY OF THE DISTRICT OF SHELBURNE

DANGEROUS OR UNSIGHTLY PROPERTY VIOLATION

TO: ERNEST AND BERNICE GOODICK

AND

JOHN GOODICK AND APRIL GOODICK, ADULT CHILDREN OF ERNEST AND BERNICE GOODICK

RE: PROPERTY LOCATED AT 13 HEMEON LANE, LOWER SANDY POINT

You are receiving this notice in relation to your property located at 13 HEMEON LANE, LOWER SANDY POINT. The Administrator has determined that your property is a candidate for DEMOLITION AND CLEANUP based on the following breach[es] of the Dangerous or Unsightly Property provisions of the *Municipal Government Act*, S.N.S. 1998, c. 18:

- The property or building is in such a condition that it seriously depreciates the value of land or buildings in the vicinity.
- The property or buildings are in a ruinous or dilapidated condition.
- The property or buildings are in such a state of non-repair that they are not suitable for human habitation or business.
- The property or building is an allurement to children who may play there to their danger.
- The property or building constitutes a hazard to the health or safety of the public.
- The property or building is unsightly in relation to the neighboring properties because the exterior finish of the building or the landscaping is not maintained.
- The property or building is a fire hazard to itself or to surrounding lands or buildings.





December 20, 2024  
10:15 Photo #1  
D. Locke

Form 5

**NOTICE OF MEETING**

**MUNICIPALITY OF THE DISTRICT OF SHELBURNE  
DANGEROUS OR UNSIGHTLY PROPERTY VIOLATION**

TO: ERNEST AND BERNICE GOODICK  
AND  
JOHN GOODICK AND APRIL GOODICK, ADULT CHILDREN OF ERNEST AND BERNICE  
GOODICK

RE: PROPERTY LOCATED AT 13 HEMEON LANE, LOWER SANDY POINT

You are receiving this notice in relation to your property located at 13 HEMEON LANE, LOWER SANDY POINT. The Administrator has determined that your property is a candidate for DEMOLITION AND CLEANUP based on the following breach(es) of the Dangerous or Unsightly Property provisions of the *Municipal Government Act*, S.N.S. 1998, c. 18:

- The property or building is in such a condition that it seriously depreciates the value of land or buildings in the vicinity.
- The property or buildings are in a ruinous or dilapidated condition.
- The property or buildings are in such a state of non-repair that they are not suitable for human habitation or business.
- The property or building is an allurements to children who may play there to their danger.
- The property or building constitutes a hazard to the health or safety of the public.
- The property or building is unsightly in relation to the neighboring properties because the exterior finish of the building or the landscaping is not maintained.
- The property or building is a fire hazard to itself or to surrounding lands or buildings.

A meeting of the Council will be held on JANUARY 8, 2025, at 6:30 pm at 414 Woodlawn Drive, Shelburne to determine if an Order for DEMOLITION AND CLEANUP will be issued with respect to this property. You are welcome to attend and make representations to the Council. You will receive no further notice of the meeting.

Any questions or concerns should be directed to the Administrator at 414 Woodlawn Drive, Shelburne or by phone at (902) 875-6773.

December 20, 2024

Date

Darrell Locke

Administrator

December 20, 2024  
10:15 Photo # 2  
D. Locke

NOVA SCOTIA MUNICIPAL ACT 1996, c. 18, PA

Officer  
shelburne.ca